

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

Report of Investigation




Title of Investigation: Operation Sheriff of Nottingham	Investigation Number: 772010-16-0005	Report Number: 82
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SUMMARY OF EVENT:

Undercover recorded telephone calls and text messages between ATF S/A Christopher Labno and Terry FERGUSON.

NARRATIVE:

- 1. UNDERCOVER CONTACT:** On December 20, 2016, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Special Agent (S/A) Christopher Burney completed reviewing recorded telephone calls between ATF S/A Christopher Labno, who was acting in an undercover agent (UCA) capacity and Terry FERGUSON (white male, DOB: 05/26/1964, FBI: 925984AA1, SID: IL23409850, CPD IR: 1047212), regarding the purchase of narcotics and other stolen merchandise. These recorded telephone calls took place between December 13, 2016 and December 16, 2016. The recorded telephone calls were inventoried into ATF evidence under #E-000064. The following is a summary of these phone calls and is not intended as a verbatim transcription.
- On December 13, 2016, at approximately 1418 hours, S/A Labno placed a recorded telephone call to FERGUSON at (708) 705-4063. S/A Labno stated that he was thinking Thursday for the squares (cigarettes) and asked if FERGUSON would be around. FERGUSON replied, "Yea. I'll call him (FERGUSON's cigarette guy, currently unidentified) right now. Got any more book bags?" S/A Labno told FERGUSON that he would check, but stated that he was running low. S/A Labno then asked, "We're good with the 20 (20 ounces of cocaine) right?" FERGUSON replied, "Um, yea, I'll talk to you when I see you." S/A Labno then asked FERGUSON if 11a.m. worked. FERGUSON responded, "Yep. What I'm gonna do is, I'm going to let the guy know you're coming to him, and like I said, I'll hoop you up right with him and then you guys go from there." S/A Labno responded, "Yea, but how's it gonna work? Because I get better ends of the other (better money from the cocaine)." FERGUSON replied, "Well, I understand, but I'll let you work with him then I'll work with you." S/A Labno then asked, "So pick it (cocaine) up the same day then?" FERGUSON replied, "Yea, I'll take it (referring to cash from the cigarette trade in exchange for cocaine) right back." FERGUSON then asked what kind of cigarettes he (S/A Labno) had. S/A Labno told him they were all Newports. FERGUSON replied that he would tell his guy and then let S/A Labno know. The conversation then ended.
- On December 14, 2016, at approximately 1611 hours, S/A Labno placed a recorded telephone call to FERGUSON at (708) 705-4063. FERGUSON said that he would call S/A Labno back in 20 minutes. The conversation then ended.

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4. On December 14, 2016, at approximately 1652 hours, S/A Labno placed a recorded telephone call to FERGUSON at (708) 705-4063 after noticing a missed call from FERGUSON approximately 22 minutes prior, but FERGUSON did not answer.
5. On December 14, 2016, beginning at approximately 1658 hours, S/A Labno and FERGUSON exchanged the following text messages (S/A Burney should note that photographs of these text messages are attached to this Report of Investigation):

S/A Labno: Srry was loading shit and missed the call-

FERGUSON: He wants to know what sticker says

S/A Labno: Ill hit u

FERGUSON: How many total

S/A Labno: 510

FERGUSON: Best cash u do

S/A Labno: My battery on my old truck died im changing u talk hard to text right now

FERGUSON: Just need bottom line

S/A Labno: Im trying to do the other cuz I get a better exchange rate ya kno

S/A Labno: I need 18 so like 37 a piece

FERGUSON: I understand still need bottom line

S/A Labno: 37's pretty low

FERGUSON: Not muc profit in that. Let me check

S/A Labno: I thought u said u were popin em off for 50 to him-

S/A Labno: What # u thinkin

FERGUSON: Not me

FERGUSON: Jessie told me he was

S/A Labno: K let me kno-

FERGUSON: He's not close he said 14 not 18. Sorry I tired he won't move

S/A Labno: I need 19 I just counted I got extra so total 700 I can do for the 19-that's ur guys price at 28 a piece and that's a Christmas price too man

FERGUSON: Let me check

FERGUSON: He's all in on 14- 5. I think Jessie lied cuz he acts like I'm tring to fuc him. He told me that's it

S/A Labno: Hes adding it up weird but whatever SO 14 for 500-I can make that wrk-can I cash out with you for the other 5 I need? I aint trying to shop all over

FERGUSON: I don't know what he's doing

FERGUSON: See u tomorrow

S/A Labno: Ok were good then? Ill bring extra paper

S/A Labno: Where u want me to come to-please say sewhere warm

S/A Labno: Its brutal out her

FERGUSON: Red house

S/A Labno: K ill be early -ill hit u wen im on the road

FERGUSON: K
6. On December 14, 2016, at approximately 1701 hours, S/A Labno placed a recorded telephone call to FERGUSON at (708) 705-4063. S/A Burney should note that this recorded call took place in between some of the text messages that are listed above. FERGUSON asked, "What do the stickers say (referring to the stamps on the ATF fictitious contraband cigarettes)?" S/A Labno responded, "Which stickers? You talking about the stamp thing?" FERGUSON replied, "Yea." S/A Labno then responded, "I got Virginia and I got Missouri." FERGUSON then told S/A Labno that he would call him back. S/A Labno told FERGUSON that he (S/A Labno) had more Marlboros coming in addition to the Newports. FERGUSON replied, "Let me call him

(FERGUSON's cigarette guy, currently unidentified) right now." The conversation then ended.

7. On December 15, 2016, prior to the undercover exchange of ATF fictitious contraband cigarettes for cocaine, at approximately 1033 hours, S/A Labno and FERGUSON exchanged the following text message:
S/A Labno – "ill be leavin out in like 15"
FERGUSON – "K"
8. On December 16, 2016, at approximately 1528 hours, FERGUSON sent S/A Labno the following text messages:
FERGUSON: ??
FERGUSON: Can u do once a week he wants to know
9. On December 16, 2016, at approximately 1543 hours, S/A Labno placed a recorded telephone call to FERGUSON at (708) 705-4063. S/A Labno asked FERGUSON, "How many does he want to do a week, like 500 (referring to a text message FERGUSON sent Labno prior to call, which is listed above)?" FERGUSON replied, "Man, as many as you can, he said." S/A Labno told FERGUSON that he (FERGUSON's cigarette guy) would have to do better on the price. FERGUSON replied, "That's no joke and it's covered on the other end too (cocaine). We'll go 500 for every one, that you know, like that every 500, so it's simple (referring to the undercover operation on December 15, 2016 where an ATF UCA traded FERGUSON and WALSH approximately 500 cartons of ATF fictitious contraband cigarettes in exchange for 14 ounces of powder cocaine)." S/A Labno asked if he (FERGUSON's cigarette guy) could do better on the price. FERGUSON responded, "Yea, me and you can talk about it, so whenever you're ready, but I'd hate to lose this guy. He's good bro." S/A Labno responded, "I know, I gotcha. Maybe like every 2 weeks or something like that. I'm gonna have some other stuff too. You know what? Why don't we have lunch or something some time." FERGUSON replied, "Try to make it right away, right away bro, because I'm all over this, you know what I mean? This Arab is fucking alright you know? Because you know how it goes, you hit it till the well runs dry, you know?" S/A Labno told FERGUSON that he couldn't do anything until after Christmas because his "guy" is doing his own thing. S/A Labno then told FERGUSON that they should get together and grab lunch to discuss prices. FERGUSON replied, "Right on. Anything else you have, give me a call right away. Don't matter what it is. I need something to keep going." S/A Labno then asked, "What you mean, on that shit (cigarettes)?" FERGUSON responded, "Anything bro. Fucking North Face, fucking anything. Anything you can get your hands on." S/A Labno then asked FERGUSON if he had come across anything new lately. FERGUSON replied, "Same shit bro, just bullshit. That's why I'm calling you, trying to squeeze your neck a little bit." S/A Labno and FERGUSON then both agreed to meet up sometime soon. The conversation then ended.
10. This is only a summary of these undercover contacts, and reference should be made to the electronic surveillance evidence inventoried as evidence pursuant to this undercover contact, for more information.

Attachment(s):

- Photograph of text messages between S/A Labno and FERGUSON on from Wednesday, December 14, 2016 to Friday, December 16, 2016. Please note, S/A Labno's responses are blue and FERGUSON's are grey.

AT&T LTE

1:03 PM



Terry



Wednesday 4:58 PM

Srry was loading shit
and missed the call-

He wants to know what
sticker says

Ill hit u

How many total

510

Best cash u do

My battery on my old
truck died im changing
u talk hard to text right
now



Text Me...





Terry

Just need bottom line

Im trying to do the other
cuz i get a better
exchange rate ya kno

I need 18 so like 37 a
piece

I understand still need
bottom line

37's pretty low

Not muc profit in that.
Let me check

I thought u said u were
popin em off for 50 to
him-



Text Me...



AT&T LTE

1:04 PM



Terry



What # u thinkin

Not me

Jessie told me he was

K let me kno -

He's not close he said
14 not 18. Sorry I tried
he won't move

I need 19 I just counted i
got extra so total 700 i
can do for 19-thats ur
guys price at 28 a piece
and thats a christmas
price too man 🎄

Let me check



Text Me...





Terry

He's all in on 14- 5. I think Jessie lied cuz he acts like I'm tring to fuc him. He told me that's it

Hes adding it up weird but whatevr So 14 for 500-i can make that wrk-can i cash out with you for the other 5 i need? I aint trying to shop all over

I don't know what he's doing

See u tomorrow

Ok were good then? Ill bring extra paper



Text Me



AT&T

1:04 PM



Terry

Where u want me to
come to-please say
sewhere warm

Its brutal out her

Red house

K ill be early -ill hit u
wen im on the road

K

Thursday 10:33 AM

Ill be leavin out in like 15

Delivered

K

Text Message
Friday 3:28 PM



Text Me



AT&T LTE

1:04 PM



Terry



Red house

K ill be early -ill hit u
wen im on the road

K

Thursday 10:33 AM

Ill be leavin out in like 15

Delivered

K

Text Message
Friday 3:28 PM

??

Can u do once a week
he wants to know



Text Me...

